

Proclamation 4793 of September 17, 1980

## **Increase in the Rate of Duty for Certain Textile Articles From the European Communities**

By the President of the United States

### **A Proclamation**

1. On February 20, 1980, the European Communities announced the imposition of quotas, under Article XIX of the General Agreement on Tariffs and Trade (GATT) (61 Stat. (pt. 5) A 58; 8 UST (pt. 2) 1786), on polyester filament yarn and polyamide (nylon) carpet yarn, imported into the United Kingdom on or after January 1, 1980. These quotas apply to exports from sources including the United States but exclude certain other countries.

2. On March 10, 1980, pursuant to Article XIX:2 of the GATT, the United States and the European Communities entered into consultations on this issue. These consultations have been suspended. The United States took note of certain trade liberalizing measures taken by the European Communities. An understanding has also been reached between the United States and the European Communities concerning the impact on the trade of the United States of excluding the products of certain other countries from the quotas. The quotas imposed by the European Communities are scheduled to expire on December 31, 1980. The actions taken to date by the European Communities including the above-mentioned liberalizing measures and the understanding, would not constitute adequate compensation if the quotas are extended beyond December 31, 1980.

3. Section 125(d) of the Trade Act of 1974 (the Trade Act) (19 U.S.C. 2135(d)) authorizes the President, following public hearings, to withdraw, suspend, or modify the application of trade agreement obligations of the United States which are substantially equivalent to those which have been withdrawn, suspended or modified by a foreign country or instrumentality, or to proclaim under section 125(c) of the Trade Act (19 U.S.C. 2135(c)) such increased duties or other import restrictions as are appropriate to effect adequate compensation from that foreign country or instrumentality. Public hearings on possible modification or suspension of concessions to the European Communities were held on April 3, 1980, at the Office of the United States Trade Representative.

4. I have decided, pursuant to section 125(c) of the Trade Act to increase the duty on the textile articles listed in the Annex to this proclamation, the product of any member country of the European Communities, effective January 1, 1981, if the aforementioned import restrictions are extended by the European Communities beyond December 31, 1980, without providing adequate compensation.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes of the United States, including sections 125 and 604 of the Trade Act (19 U.S.C. 2135 and 2483), and in accordance with Article XIX of the GATT do proclaim that:

(1) Subpart D, part 2 of the Appendix to the Tariff Schedules of the United States (TSUS) (19 U.S.C. 1202) is modified as set forth in the Annex to this proclamation.

(2) This proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1981, unless the United States Trade Representative (USTR) determines that the quotas imposed by the European Communities, the subject of this proclamation, have terminated or will terminate prior to January 1, 1981, or that adequate compensation has been provided by the European Communities. If the USTR makes such a determination (published in the **Federal Register**), the modifications to the TSUS made by this proclamation shall not take effect.

3. Conforming modifications shall be made to Part I of Schedule XX to the GATT when the actions set forth in the Annex to this proclamation become effective.

(4) The TSUS, as modified by the Annex to this proclamation, shall be further modified as required by section C of Annex II to Proclamation No. 4707 of December 11, 1979, effective as to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1982.

93 Stat. 1564.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of September, in the year of our Lord nineteen hundred and eighty, and of the Independence of the United States of America the two hundred and fifth.

JIMMY CARTER

# ANNEX

Subpart D, part 2 of the Appendix to the TSUS (19 U.S.C. 1202) is modified—

(1) by adding the following new headnote 2:

"2. The term *"Products of the European Communities"* refers to products of the member states of this instrumentality which includes the Governments of Belgium, Denmark, France, the Federal Republic of Germany, Ireland, Italy, Luxembourg, the Netherlands, and the United Kingdom."

and

(2) by adding the following new items, in numerical sequence:

Item	Articles	Rates of duty		Effective period
		1	2	
"Products of the European Communi- ties:				
947.52	Yarns, wholly of non-continuous man-made fibers (provided for in items 310.40 and 310.50).	20 pct ad val .....	No change.....	On or after Jan. 1, 1981.
947.56	Sweaters, of wool (provided for in items 380.59, 380.61, 382.56, and 382.58).	37.5 pct ad val ..	No change.....	On or after Jan. 1, 1981.
947.61	Men's or boys' coats and jackets, of wool, knit (provided for in item 380.61).	37.5 pct ad val ..	No change.....	On or after Jan. 1, 1981.
947.62	Men's or boys' coats and jackets, other than suit-type sports coats and jackets, of wool, not knit (provided for in 380.63 and 380.66).	37.5 pct ad val ..	No change.....	On or after Jan. 1, 1981.
947.65	Women's, girls' and infants' coats, of wool (provided for in items 382.58, 382.60, and 382.63).	37.5 pct ad val ..	No change.....	On or after Jan. 1, 1981.
947.66	Skirts, of wool (provided for in items 382.54, 382.58, 382.60, and 382.63).	37.5 pct ad val ..	No change.....	On or after Jan. 1, 1981."